

United States District Court
Eastern District of Michigan
Northern Division

United States of America
Plaintiff,

Case No: 23-CR-
20121

v

Fredy Alonzo Poot-Waal

Hon: Thomas
Ludington

Hon. Patricia T.
Morris

FILED

JUN 13 2023

CLERK'S OFFICE
DETROIT

Defendant,

United States
Magistrate Judge

Katharine Hermann
Assistant U.S. Attorney
101 First Street Suite 200
Bay City MI 48708

FREDY Alonzo
Poot-Waal

Defendant
(Pro-Se)

111 S. 2nd St
Roscommon MI
48653

MOTION FOR BONDS PENDING
SENTENCING

Now comes FREDY ALONZO
POOT WAAL through himself in pro-se,
requests that this Court grant his
Pr

MOTION FOR BOND for the following reasons:

1. Defendant FREDY Alonzo Root-Nual has pleaded guilty to Court ONE RE-ENTRY of Removed Alien pursuant to 8 U.S.C. § 1326 (G).
2. Sentencing is for July 27, 2023
3. Defendant has an fiancé has property for surety to this Court that will guarantee Defendant return for sentencing.
4. Defendant has no violent ~~record~~ record, and is not a risk to the community, to the country. Defendant has been working in construction for the past 4 years and is a positive note to the economy.

Defendant contends that the statute that governs release or detention of a defendant

of a defendant pending sentence is 18 U.S.C.S § 3143, section 3143(a) applies when a person who has been found guilty of an offense and who is awaiting imposition or execution of a sentence 18 U.S.C.S § 3143(a)(1).

Such defendants may be released where the court finds by clear and convincing evidence that they pose no danger to the community and are not likely to flee 18 U.S.C.S 3143(a) Section 3143(b)

Quoting
Jennings v Rodriguez,
 138 S.Ct 830 Supreme Court
 February 27, 2018:

"The Judiciary Act of 1789 conferred rights to bail" proceedings in all criminal cases.

"That perhaps is why Blackstone wrote that the law provides for the possibility of bail in any case what so ever."

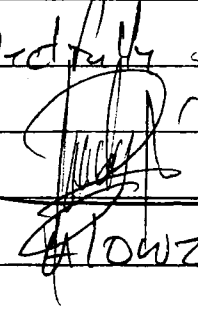
"As long as the alien does not fall within -
 n. 2

8 U.S.C. § 1226 (c) permitting the detention of Aliens convicted of certain crimes - he must receive a bond hearing at the outset of his detention.

In a case where defendant was charged with one count of illegal re-entry in violation of 8 U.S.C. § 1326 (a) pre-trial detention was not warranted under the Bail Reform ACT because there was failure to establish there was a serious risk that defendant would flee under 18 U.S.C. § 3142 (b). see United States v. Villatoro Ventura 330 F. Supp 3d 1118 September 12, 2018, and United States v. Velaz-Alonso 2018 U.S. Dist LEXIS 175990 October 12, 2018

WHEREFORE, Defendant FREDY Alarzo Root-NAAH request that this Court GRANT MOTION FOR BOND PENDING SENTENCING for the following reasons so stated here-in.

DATE: June 9, 2023 Respectfully Submitted


FREDY ALONZO Poot-
WAH

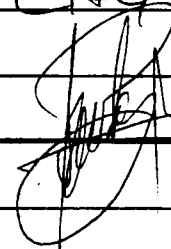
(Poose)

41 S. 2nd St
Roscommon MI
48653

CERTIFICATE OF SERVICE

I FREDY ALONZO Poot-
WAH hereby certify that on
June 9, 2023 the foregoing docu-
ment was mailed to U.S. Attorney
Katharine Hermann at 101 First St
Suite 200 Bay City MI 48208

Date June 9, 2023



TO: UNITED STATES DISTRICT CLERK
231 WEST LAFAYETTE BLVD
Room 564
Detroit MI
48226

FROM: FREDY ALONZO ROOT - NIAAL
111 S. 2nd St
Roscommon MI
48653

RE: United States v FREDY ALONZO
Root - NIAAL
Case No: 1:23-CR-20121

Dear Clerk,

Enclosed for your filing
is a MOTION FOR BOND PENDING
Sentencing.

Thank you for your attention in this
matter

Sincerely Yours

Date June 9, 2023



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Post - MAIL
111 S. 2nd St
Roscommon MI
48653

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Office the Clerk

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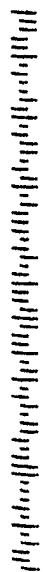
Rm 5641

Detroit MI

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